

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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EVERYTOWN FOR GUN SAFETY  
ACTION FUND, INC.,

Plaintiff,

v.

DEFCAD, INC.; ODYSEE USER  
XYEEZYSZN; DEFCAD USER  
XYEEZYSZN; ODYSEE USER  
THEGATALOG-PRINTABLEMAGAZINES;  
THE GATALOG; DEFCAD USER  
FREEMAN1337; TWITTER USER  
XYEEZYSZN; PHILLIP ROYSTER.

Defendants.

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Civil Action No. 1:21-cv-8704

**DECLARATION OF DELIA  
GREEN IN SUPPORT OF  
PLAINTIFF’S APPLICATION  
FOR ORDER TO SHOW CAUSE  
FOR A PRELIMINARY  
INJUNCTION, EXPEDITED  
DISCOVERY, AND  
ALTERNATIVE SERVICE**

I, Delia Green, declare as follows<sup>1</sup>:

1. I am over eighteen (18) years old and I am competent to testify to the facts in this Declaration based on my personal knowledge.

2. I am a paralegal at Venable LLP, counsel for Plaintiff Everytown for Gun Safety Action Fund, Inc. (“Everytown”) and I am resident in New York City.

3. I submit this declaration in support of Everytown’s Application and to describe the availability and advertisement of Defendants’ Infringing Products to New York consumers on online websites [www.odysee.com](http://www.odysee.com), [www.defcad.com](http://www.defcad.com), and [www.ctrlpew.com](http://www.ctrlpew.com).

4. Defendants’ Infringing Products are available on either Odysee.com or Defcad.com, and I was able to view the Infringing Product listings as a member of the general

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<sup>1</sup> All undefined terms herein are defined as in Plaintiff’s Complaint.

public, and resident of New York City. To view the Defendants' listings, Odysee.com and Defcad.com did not require a password, and the listings were publicly available.

5. On Odysee, I was able to view and download copies of Defendants' Infringing Products without any password, or other information required.

6. On Defcad, to access downloadable copies of Defendants' Infringing Products, I was required to create an account with Defcad, and to submit a subscription fee.

7. On Ctrlpew, I was not able to directly access downloadable copies of Defendants' Infringing Products, but I was re-directed over to linked pages of the Defendants' Infringing Products on Odysee.

***Defendant Odysee User XYeezySZN***

8. Defendant Odysee User XYeezySZN uploaded the downloadable file containing 3-D printing instructions for "Everytown—Firebolt Magwell (R) 5.56 Bolt Catch" to Odysee on August 20, 2021.

9. The downloadable file containing the 3-D printing instructions is accessible via the link: <https://odysee.com/@xYeezySZN:f/EverytownFireboltMagwell:f>

10. Accessing the link, I was able to download Defendant Odysee User XYeezySZN's 3-D printing instructions for "Everytown—Firebolt Magwell (R) 5.56 Bolt Catch".

11. True and correct screenshots depicting Defendant Odysee User XYeezySZN's 3-D printing instructions for "Everytown—Firebolt Magwell (R) 5.56 Bolt Catch" available on Odysee are attached hereto as **Exhibit A**.

12. Defendant Odysee User XYeezySZN also uploaded a downloadable file containing 3-D printing instructions for "Moms Demand—Firebolt Magwell (R) 5.56 Bolt

Catch” to Odysee on August 20, 2021.

13. The downloadable file containing the 3-D printing instructions is accessible via the link: <https://odysee.com/@xYeezySZN:f/MomsDemandFirebolt:7>

14. Accessing the link from New York, I was able to download Defendant Odysee User XYeezySZN’s 3-D printing instructions for “Moms Demand—Firebolt Magwell (R) 5.56 Bolt Catch”. True and correct screenshots are attached as **Exhibit B**.

***Defendant Defcad User XYeezySZN***

15. Defendant Defcad User XYeezySZN uploaded a downloadable file containing 3-D printing instructions for “Moms Demand Action—Firebolt 5.56 Bolt Catch Magwell” to Defcad.com on August 25, 2021.

16. The downloadable file containing the 3-D printing instructions is accessible via the link: <https://defcad.com/library/2d0f5a72-3147-4076-9ed9-9aa843710f67/>

17. Accessing the link from New York, I was able to click “add to cart” to put Defendant Defcad User XYeezySZN’s 3-D printing instructions for “Moms Demand Action—Firebolt 5.56 Bolt Catch Magwell” in my cart, which then required a user account on Defcad to complete the download process. True and correct screenshots are attached as **Exhibit C**.

18. Defendant Defcad User XYeezySZN also uploaded the downloadable file containing 3-D printing instructions for “Everytown—Firebolt 5.56 Bolt Catch (R) Magwell Panel” to Defcad.com on August 25, 2021.

19. The downloadable file containing the 3-D printing instructions is accessible via the link: <https://defcad.com/library/b53093c0-5214-475a-bb23-fc7684ef1ff3/>

20. Accessing the link from New York, I was able to click “add to cart” to put Defendant Defcad User XYeezySZN’s 3-D printing instructions for “Everytown—Firebolt 5.56

Bolt Catch (R) Magwell Panel” in my cart, which then required a user account on Defcad to complete the download process. True and correct screenshots are attached as **Exhibit D**.

***Defendant Odysee User TheGatalog-PrintableMagazines***

21. Defendant Odysee User TheGatalog-PrintableMagazines uploaded the downloadable file containing 3-D printing instructions for “‘Everytown’ 3D Printable AR15 22lr Magazine” to Odysee on June 25, 2021.

22. The downloadable file containing the 3-D printing instructions is accessible via the link: <https://odysee.com/@TheGatalog-PrintableMagazines:6/everytown-cmmg-22lr-mag-25round:f>

23. Accessing the link from New York, I was able to download Defendant Odysee User TheGatalog-PrintableMagazines’s 3-D printing instructions for “‘Everytown’ 3D Printable AR15 22lr Magazine”. True and correct screenshots are attached as **Exhibit E**.

***Defendant The Gatalog***

24. Defendant The Gatalog linked and promoted a listing for “‘Everytown’ 3D Printable AR15 22lr Magazine” to [www.ctrlpew.com](http://www.ctrlpew.com).

25. The listing promoting the 3-D printing instructions is accessible via the link: <https://ctrlpew.com/file-drop-everytown-3d-printable-ar15-22lr-magazine/>

26. When clicking the box below the word “download” on ctrlpew.com, the link directs consumers to Defendant Odysee User TheGatalog-PrintableMagazines’ Odysee listing page for Everytown’ 3D Printable AR15 22lr Magazine, from which I was able to download in New York 3-D printing instructions for “‘Everytown’ 3D Printable AR15 22lr Magazine”. True and correct screenshots are attached as **Exhibit F**.

***Defendant Defcad User Freeman1337***

27. Defendant Defcad User Freeman1337 uploaded the downloadable file containing 3-D printing instructions for “Everytown’ 3D Printable AR15 22LR Magazine” to Defcad.com on June 26, 2021.

28. The downloadable file containing the 3-D printing instructions is accessible via the link: <https://defcad.com/library/c4e0a685-04ad-4034-ab25-44f90b09a725/>

29. Accessing the link from New York, I was able to click “add to cart” to put Defendant Defcad User Freeman1337’s 3-D printing instructions for “Everytown’ 3D Printable AR15 22LR Magazine” in my cart, which then required a user account on Defcad to complete the download process. True and correct screenshots are attached as **Exhibit G**.

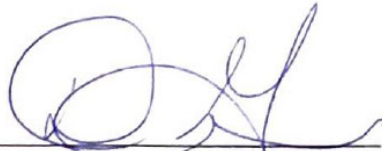
***Defendant Defcad***

30. Defendant Defcad charged my credit card a \$50 subscription fee on September 24, 2021. The merchant listed on my credit card bill is the entity DD Foundation LLC.

31. DD Foundation LLC is a limited liability company located in the State of Texas and is the listed merchant for Defcad.com even though the payment on Defcad.com was made by a New York State resident.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: October 20, 2021

  
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DELIA GREEN